



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 15 2010

**Mark Hotaling, Executive Director
The Christian Coalition of Colorado
PO Box 8317
Denver, CO 80201**

**RE: MUR 6038
Mark Hotaling**

Dear Mr. Hotaling:

On July 18, 2010, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On April 27, 2010, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe that Mark Hotaling violated the Act. Accordingly, on June 4, 2010, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's no reason to believe finding, is enclosed for your information.

If you have any questions, please contact Joshua Smith, the attorney assigned to this matter at (202) 694-1624.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie McConnell", is written over the typed name and title.

**Julie McConnell
Assistant General Counsel**

**Enclosure
Factual and Legal Analysis**

10044273556

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

Respondent: Mark Hotaling

MUR: 6038

1 This matter arises out of a complaint alleging that Lamborn for Congress ("Lamborn
2 Committee") coordinated its communications with Christian Coalition of Colorado ("Christian
3 Coalition") through flyers that Christian Coalition sent to voters attacking Doug Lamborn's
4 primary opponents during his 2006 campaign for Colorado's 5th Congressional District. The
5 complaint further alleges that Jonathan Hotaling, while serving on the Board of Tactical Data
6 Solutions, Inc. ("TDS"), a political consulting company, instructed a TDS employee to provide
7 the same voter list data to Christian Coalition that TDS had sold to the Lamborn Committee.
8 Additionally, the complaint alleges that Mark Hotaling, Executive Director of Christian
9 Coalition, contacted TDS on behalf of Christian Coalition to purchase the Lamborn Committee
10 voter list data.

11 However, even if the allegations are true, the actions by Mark Hotaling do not appear to
12 result in personal liability under the Federal Election Campaign Act of 1971, as amended
13 ("Act"). Therefore, since there is no personal liability based on facts within the complaint or in
14 the Commission's possession, the Commission finds no reason to believe that Mark Hotaling
15 violated the Act.

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